

EXHIBIT 5

DISTRICT COURT OF MARYLAND																	
Go Back Now																	
Case Information																	
Court Address: DISTRICT COURT FOR PRINCE GEORGE'S COUNTY - CRIMINAL SYSTEM Case Number: 200731703 Document No: 23100123101 Case Type: CRIMINAL District Code: 03 Location Code: 03 Document Type: SUMMONS Issued Date: 03/10/2022 Case Status: ACTIVE																	
Defendant Information																	
Defendant Name: HOBSON, BARRY Race: BLACK, AFRICAN AMERICAN Sex: M Height: 605 Weight: 000 DOB: 04/04/1982 Address: 5623 RETIKER DR City: UPPER MARLBORO State: MD Zip Code: 20774 - 0500																	
Court Scheduling Information																	
Trial Date: 03/10/2022 Trial Time: 01:15 PM Page: 103 Trial Type: TRIAL Trial Location: COURTHOUSE, 1473S MAIN STUPPER MARLBORO 20772-3042																	
Charge and Disposition Information																	
(Each Charge is listed separately. The disposition is listed below the Charge)																	
<table border="1"> <tr> <td>Charge No:</td> <td>001</td> <td>Disposition:</td> <td>HARASS; A COURSE OF CONDUCT</td> </tr> <tr> <td>Statute:</td> <td>CRJ.203</td> <td>Disposition:</td> <td>HARASS; A COURSE OF CONDUCT</td> </tr> <tr> <td>Arrested Date:</td> <td>03/04/2022</td> <td>Case Code:</td> <td>00101</td> </tr> <tr> <td>Incident Date From:</td> <td>03/04/2022</td> <td>To:</td> <td>03/04/2022</td> </tr> </table>		Charge No:	001	Disposition:	HARASS; A COURSE OF CONDUCT	Statute:	CRJ.203	Disposition:	HARASS; A COURSE OF CONDUCT	Arrested Date:	03/04/2022	Case Code:	00101	Incident Date From:	03/04/2022	To:	03/04/2022
Charge No:	001	Disposition:	HARASS; A COURSE OF CONDUCT														
Statute:	CRJ.203	Disposition:	HARASS; A COURSE OF CONDUCT														
Arrested Date:	03/04/2022	Case Code:	00101														
Incident Date From:	03/04/2022	To:	03/04/2022														
Related Person Information																	
(Each Person related to the case other than the Defendant is shown)																	
Name: LOM, CRYSTAL Connection: COMPLAINTANT Name: PRYCE, MELISSA Connection: ASSISTANT PUBLIC DEFENDER Address: DISTRICT PUBLIC DEFENDER 1473S MAIN ST, ROOM 231B City: UPPER MARLBORO State: MD Zip Code: 20772 - 0000																	
Event History Information																	
Event Date	Comment																
SUM1 03/10/2022	SUM ISSUED 220310 AGENCYEXP 16																
SUM5 03/11/2022	SUM SERVED 220311																
SUM5 03/14/2022	SUM SERVED 220311																
This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland Rules, or because of the practical difficulties inherent in reducing a case record into an electronic format.																	

CASE NO			NAME			CASE NO			NAME		
RM	TIME					RM	TIME				
00010V27	263B	02:30P	HENDERSON-WARE, JASON D	0396OLPG	263B	01:30P	STARR, SHATQUAN				
000M0V27	263B	01:30P	HENDERSON-WARE, JASON D	0396OLPG	263B	01:30P	STARR, SHATQUAN				
000N0V27	263B	02:30P	HENDERSON-WARE, JASON D	0396OLPG	263B	01:30P	STEWARTSON, ANDREA				
000P0V27	263B	02:30P	HENDERSON-WARE, JASON D	0396OLPG	263B	01:30P	SUTTON, MARY				
000Q0V27	263B	02:30P	HENDERSON-WARE, JASON D	0396OLPG	263B	01:30P	SUTTON, VINCENT				
			HENDRIX, BRIAN K	SP025012022	164	01:15P	SWEENEY, COKE LAVONIA				
			HERNANDEZ, LORENZO	00156932021	353B	01:15P	TAMMIA, MUSTAFA KHALI				
			HILL, TIANA	00160702021	353B	01:15P	TAYLOR, TONIA L				
007J0H4Z	263B	01:30P	HOBSON, BARRY	2E00731705	163	01:15P	TAYLOR, WALTER W				
007K0H4Z	263B	01:30P	HOBSON, BARRY	3E00731706	163	01:15P	THOMAS, GARY				
007L0H4Z	263B	01:30P	HOLLAND, DEXTER E S	0016332021	353B	01:15P	THOMAS, NICOLE				
03120LPG	263B	01:30P	HOLMES, KENNETH JAY	0016332019	264D	01:15P	THOMPSON, EVELYN F				
03140LPG	263B	01:30P	HOPKINS, TONY HOWARD	1E00699742	262	02:15P	TROWELL, BERNADETTI				
03180LPG	263B	01:30P	HOWARD, MARKESHA	2E00716035	163	01:15P	TRUESDALE, ANTONIO				
03180LPG	263B	01:30P	HOWELL, REMAY	2E00703971	163	01:15P	TRUESDALE, WYETTE				
0158152021	353B	01:15P	ISCANDARI, SARATU EBUN	000Q0V27	263B	02:30P	TUCKER, EVERETT JOE				
0159102021	353B	01:15P	JACKSON, JENNIFER	00163762021	353B	01:15P	TUCKER, EVERETT JOE				
000731650	163	01:15P	JACKSON, NICOLE	00158142021	353B	01:15P	TUCKER, EVERETT JOE				
0161692021	353B	01:15P	JAY, CHANTELL VALENCIA	5E00704457	262	01:15P	TUCKER, EVERETT JOE				
3161142021	353B	01:15P	JEFFERES, FRANKLIN	0016332021	353B	01:15P	TUCKER, EVERETT JOE				
300726000	163	01:15P	JEFFERS, ANTHONY AUSTIN	5E00702028	262	02:15P	TYLER, KESHA R				
073912020	161B	01:15P	JEFFERS, ANTHONY AUSTIN JR	5E00702777	262	02:15P	TYLER, WILLIAM ALJ				
163782021	353B	01:15P	JEFFERS, MARVIN	6E00721937	163	01:15P	TYLER, WILLIAM ALJ				
302872020	357B	01:15P	JEFFERSON, RONALD STEVEN	03K00LPG	263B	01:30P	TYLER, WILLIAM AL				

RONALD L. SCHWARTZ

ATTORNEY AT LAW

PRACTICING IN MARYLAND
AND DISTRICT OF COLUMBIA

4907 NIAGARA ROAD, SUITE 103
COLLEGE PARK, MARYLAND 20740
(301) 474-2300

TELECOPIER:
(301) 474-6607

This is an advertisement

March 15, 2022

Mr Barry Hobson
9623 Beiker Drive
Upper Marlboro, MD 20774

Re: Criminal Matter; Charge: **Harassment**

Dear Mr Hobson:

It has come to my attention from the records published by the District Court of Maryland that you have recently been charged with the offense of Harassment. This is a serious matter, and it is extremely important that you have effective legal representation to defend you in this case.

I have been practicing law for over forty years in the courts of Maryland and DC. I have represented thousands of persons that have been charged in these kinds of cases, and have achieved great results for my clients.

Depending on the nature of the charges and your prior criminal record, it is quite possible that these charges could be disposed of without having the burden of a criminal record resulting from these charges, or that jail or incarceration can be avoided.

Of course, every case is different, and the facts of each case and the circumstances of the client will have a great bearing on the outcome. However, I have been giving honest advice and have charged reasonable fees to my clients for over a quarter of a century. I have great experience with the judges and prosecutors in Prince George's County and will give you an honest appraisal of your situation without charge.

If you are interested in obtaining an attorney to represent you in this matter, please call me for a free consultation. I am available most evenings, and will make arrangements to suit your schedule. Many attorneys will tell the client what they want to hear, so that they will get the case, only to tell the client on the day of trial that the situation did not work out as expected. I have never done that. I will give you straight advice, and give you a good idea of the likely outcome from the outset. I can work out reasonable payment plans so that you can hire the counsel that you need. Call anytime, to make an appointment, or during normal business hours, to discuss your case. I hope to hear from you soon.

Sincerely,

Ronald L. Schwartz

Ronald L. Schwartz

RLSpC

This is an advertisement



KING LAW FIRM, PA

1401 Mercantile Lane · Suite 381 · Largo · Maryland
301-277-2333 (O) 301-772-2332 (F)

"Where Your Judgment Ends and Our Defense Begins."

March 15, 2022

Barry Hobson
9623 Reiker Drive
Upper Marlboro, MD 20774

RE: Case Number 2E00731705
HARASS; A COURSE OF CONDUCT

Dear Barry Hobson:

I have been informed by recent court records that a case has been filed against you. However, I am here to help you through this difficult time. I have over 20 years of legal training and experience to evaluate your options and actively guard your interests. We offer competitive prices with reasonable payment plans. Consultations are free. There will be no hidden fees or costs.

DO NOT DELAY! Call the King Law Firm today.

APPOINTMENTS ALSO AVAILABLE VIA ZOOM, FACETIME, SKYPE, DUO, ETC,

In addition to reasonable fees, my firm prides itself on our customer service. Calls are returned in a timely manner. Clients are encouraged to ask all questions and we will weigh all of your options prior to the trial date.

I look forward to being of assistance to you!

Your Humble Advocate,

A handwritten signature in black ink, appearing to read 'M. King'.

Marnitta L. King, Esq.

Visit www.kinglaw.org website for more law firm information .



McKenzie & Tehrani

Attorneys at Law

Speak with one of our team members now at
301-209-7024 or online at MTMD-Law.com



P2 T6 B8 1555
Barry Hobson
9823 Reiker Dr
Upper Marlboro, MD 20774-4723

First Consultation is Free!

Dear Prospective Client,

The Attorneys at McKenzie & Tehrani have been specializing in criminal, DUI, DWI and traffic defense **for more than 20 years, combined**. If convicted, you could face jail time, loss of your driver's license and thousands of dollars in fines and probation fees. A conviction can also impact your immigration status if you are not a United States citizen. **Having one of our experienced attorneys by your side can make all the difference.**

Both Mr. McKenzie and Mr. Tehrani have served in the Maryland State's Attorney's Office and Ms. Smith has dedicated her career to criminal defense. Having worked on both sides of the aisle provides our team with a rare and unique perspective when handling cases. With years of experience practicing in Maryland, we know what to expect and our peers know that, with one of us by your side, you have a **fierce trial attorney who is not afraid to fight.**

Hire us and we will help you:

- ✓ **AVOID FINES**
- ✓ **AVOID MISSING HEARING REQUEST DEADLINES**
- ✓ **AVOID PROBATION & JAIL TIME**
- ✓ **KEEP YOUR LICENSE TO DRIVE**

DON'T WAIT TO CALL. With two offices conveniently located in Rockville and Greenbelt as well as easy-to-schedule virtual appointments, schedule your **FREE CONSULTATION** today; let us find the solution together.

The McKenzie & Tehrani Team

Greenbelt / Hyattsville
6411 Ivy Lane, Suite 540
Greenbelt, MD 20770

Rockville/Gaithersburg
20 Courthouse Sq., Suite 213
Rockville, MD 20850



LAW OFFICES OF ESTEBAN GERGELY, LLC

200 A MONROE ST SUITE 305
ROCKVILLE MD 20850

Tel: (301)-340-0112
Fax: (301)-340-0050

6495 NEW HAMPSHIRE AVE SUITE B260
HYATTSVILLE MD 20783

*(This is an advertisement)
(version en español del otro lado)*

OFFICES IN HYATTSVILLE AND ROCKVILLE

Dear Mr. (s): Barry Hobson

A review of the State of Maryland's public records indicates that you are being accused of:

Cr.3.803, Harass; A Course Of Conduct

Case #: 2E00731705

These charges require you to appear before: ***Upper Marlboro District Court***

Court Date: ***to be determined***

In some cases a conviction may carry the possibility of jail time.

Call (301)-340-0112, for a free consultation regarding your case.

Esteban Gergely is an aggressive, highly skilled, and very experienced defense attorney who has defended thousands of cases, both misdemeanors and felonies and will fight to defend your legal and financial interests. He will provide you with excellent legal representation and will use all the legal tools available to obtain the best possible results for your case. **Esteban Gergely's** exceptional trial skills and vast experience with juries allow him to resolve, even the most complex criminal and traffic cases.

Your freedom and your peace of mind are very important. Do not go to court without excellent representation. The lawyer you choose must be experienced and committed to defend both your legal rights and financial interests.

Our offices are conveniently located in Rockville, two blocks from the **Rockville Station (Red line)** and in **Hyattsville close to the intersection of New Hampshire Ave y Sheridan St.** We look forward to providing you with outstanding legal representation at an affordable price. We offer convenient payment plans and most forms of payment, including credit cards, accepted.

You can reach us twenty-four hours a day, seven days a week at 301-340-0112

**Offices Addresses: 6495 New Hampshire Ave. Suite B260, Hyattsville (free parking)
200 A Monroe Street suite 305, Rockville (free parking)**

Sincerely,

Esteban Gergely

Esteban Gergely, Esq.

(This is an advertisement)

This is an advertisement.



SHAKUR LAW
THE LAW OFFICE OF MALIK A. SHAKUR, LLC



Questions We Answer:

- Q: Are you currently on probation?**
- Q: Does this offense take from your job or carry criminal consequences?**
- Q: Do you have a prior record?**
- Q: Do you need a bail review?**
- Q: Do you need to have a bench warrant recalled?**
- Q: Do you need to have your date postponed?**
- Q: Do you need to have your record expunged?**

9701 Apollo Drive
Suite 411 • Largo, MD 20774
301.772.5773
Fax 301.772.5774
www.shakurlaw.com

Malik A. Shakur, Attorney at Law

You are receiving this because public records indicate that you have been accused of a serious traffic citation or criminal offense, which requires your appearance in the Maryland court system. A conviction of this traffic citation will result in either expensive fines, deducted points, or the suspension of your driver's license. Depending on the severity of your criminal charge, along with the quality of your legal representation, jail may be the ultimate consequence. You must realize the potential of this charge and know that **YOUR FREEDOM COULD BE AT STAKE.**

Years of proven criminal and serious traffic experience in Maryland.

Just because you were arrested or issued a ticket does not mean that you are automatically guilty. You are entitled to a legal defense that presents a case that forces the State to prove their charges against you in court. Efficient preparation is essential for a successful outcome. **Quality legal representation is essential in adequately presenting your defense.**

The law is unfamiliar territory to most people, but during your defense you will encounter a police officer who has consistently testified in court and knows how to persuasively present his or her argument. Quality legal representation levels the playing field, which helps to increase your chance of winning. An attorney familiar with the state laws of Maryland and the courthouses rules can help to present your case in the most logical and persuasive manner.

I am attorney Malik A. Shakur, and I have represented thousands of people in situations similar to yours. Through my extensive trial experience, I have developed the respect of judges, state's attorneys, police officers and more importantly, the legal expertise necessary to win your case. **I will defend you vigorously and aggressively and protect your rights to ensure a satisfactory outcome favorable to your life.**

Free consultation, flexible appointment hours including evenings and Saturdays, affordable fees, and flexible payment plans available.

This case does not have to take over your life. **By promptly contacting me for a free initial consultation, I can begin preparing your defense.** I have convenient office hours. Call me today to schedule an appointment so that we can discuss the details of your case. I understand this is a stressful ordeal, and I promise to treat you with respect and provide answers to any questions you may have about your case. I will also inform you of what to expect on your court date. There may be deadlines that must be met in order preserve all of your rights, so call me today. During your free initial consultation, I will explain the legal costs involved in preparing your case. I offer flat fees for my legal services, which you will find to be reasonable. I can also offer you flexible payment plans that you will find to be very affordable. For your convenience, we accept all major credit cards.

Call today to schedule a free initial consultation. If you are not sure if your court date has been scheduled, please ask a member of my staff to research it for you. Regardless of whom you hire to represent you, please take these charges seriously—the State of Maryland certainly does.

**Let me concentrate on your legal problem,
so you can concentrate on your life.**

This is an advertisement.

WASHINGTONIAN

JEZIC & MOYSE, LLC

240-292-7200 • www.Jezicfirm.com

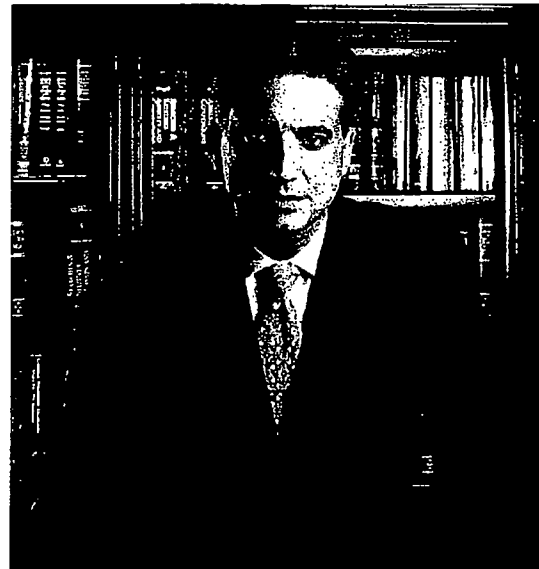
Andrew V. Jezic, a former prosecutor, is a co-author of *Maryland Law of Confessions*. The treatise, now in its fifteenth edition, has been cited numerous times by both of Maryland's appellate courts. Mr. Jezic was voted as one of the best 100 lawyers in Maryland by Superlawyers Magazine from 2016-2019.

In 2018, Mr. Jezic's clients were found not guilty on all murder counts on two separate trials.

In a recent sex offense case, Jezic successfully moved to vacate a client's guilty plea and convinced a jury to acquit his client on all charges, despite the client's full confession on video.

Through two jury trials in a high-profile murder case, Jezic helped a former Army Ranger earn acquittals on all homicide counts except for involuntary manslaughter.

The attorneys in Jezic's firm also handle personal injury, and immigration cases in MD, DC, and VA, and speak *Spanish, German, French, Arabic, Turkish, and Korean*.



Andrew V. Jezic

Mr. Jezic's cell phone is
301-742-7470

Andrew V. Jezic
Region's Best Lawyers
2011 - 2018

PRINCE GEORGE'S COURTS

Charges Dropped Against Man Accused of Assaulting Girl, 8

By RUBEN CASTANEDA
Washington Post Staff Writer

Prince George's County prosecutors yesterday dropped charges against a 35-year-old man who was accused of sexually assaulting an 8-year-old girl as she walked from a school bus stop to her Upper Marlboro home last fall.

The decision came after prosecutors obtained DNA test results that exonerated Andre C. King and read statements from defense witnesses who provided a solid alibi for him,

said both Prince George's State's Attorney Glenn F. Ivey and Andrew V. Jezic, King's defense attorney.

At the request of Assistant State's Attorney Dominic Gaynor, Circuit Court Judge Sherrie L. Krauser dismissed the charges of first- and second-degree rape against King.

King, who had been jailed without bond at the Prince George's Detention Center since he was arrested shortly after the alleged attack in September, was to be released yesterday afternoon or evening, Jezic

said.

Jezic said he commended Gaynor and Ivey during the brief court hearing. The alleged victim and her mother have continued to accuse King, even as evidence pointing to his innocence has mounted in recent weeks, Jezic said.

"The state's attorney's office in this case did everything right," Jezic said. "We had many conversations about whether the defendant was innocent."

Ivey said he decided that charges against King should be dropped be-

cause DNA evidence produced no connection between the defendant and the victim and because "the defense produced multiple, credible alibi witnesses."

"We're not only here to convict the guilty but to exonerate the innocent," Ivey said.

DNA results from the county police lab became available about two weeks ago. Genetic material from a swab taken from the victim did not match King's DNA, Jezic said.

Jezic and Ivey both said they believe the girl was sexually assaulted.

The incident occurred about 2:30 p.m. Sept. 28. The girl had stepped off a school bus and was walking through a neighbor's back yard along Brimfield Drive when she was grabbed from behind by a man who threatened to kill her, then sexually assaulted her, the documents said.

The girl ran home and told her mother; police found King at his home about four blocks from where the girl said the attack occurred, Jezic said. Police brought the girl to see King, and she identified him as

the attacker, according to police charging documents.

Private defense investigators located three witnesses who said King was in his back yard during the time the rape allegedly occurred. The witnesses said King was sitting in a chair from the time the school bus would have arrived until the time police arrested him, according to defense papers that were part of an unsuccessful motion to persuade a judge to grant King a bond.

Ivey said the investigation into the assault would continue.

The Gazette

Wednesday January 28, 2009

Correctional center nurse acquitted on sex charges

a Walkersville man found not guilty of assaulting inmate

BY ANDREW UTFUSA
STAFF WRITER

An employee at a Montgomery County correctional facility was acquitted earlier this month on charges that he committed a sexual offense with a male inmate last year.

Walkersville man, 51, was found not guilty on Jan. 18 of one charge of correctional-inmate, sexual offense and one charge of second-degree assault stemming from allegations from April 2008 at the Montgomery County Pre-Release Center. The trial took place over four days before Circuit Court Judge David Boynton in Rockville.

The defendant was employed as a nurse at the Montgomery County Pre-Release Center on Nebel Street in North Bethesda when he was accused of performing a sexual act on a 35-year-old male inmate on April 29, 2008. The inmate originally came to the defendant to obtain nasal spray and a physical's referral for a medical condition. The inmate told center staff there had been an incident at least 45 minutes later, and the staff subsequently called police.

According to charging documents, police obtained DNA evidence from the inmate and the inmate's boxer shorts that matched the defendant's DNA.

The defendant's attorney, Andrew Jezic of Wheaton, said the inmate admitted that he was alone for a short period of time in an examination room with tissues and paper towels that had been used by the defendant.

Two employees at the Pre-Release Center, including a counselor who had worked with the inmate in 2005, also testified that the inmate was "not a truthful person," according to Jezic.

Jezic and the defendant was currently in the process of trying to get his job back at the Pre-Release Center, where he is on unpaid administrative leave. He said his client had gone through "eight or nine months of hell." The defendant had worked for the county's correctional system since 2003 and for the Pre-Release Center since 2006.

"The jury got to hear that this is an exemplary person, an exemplary nurse, an exemplary father and husband, and these are false charges," Jezic said.

The Washington Post Teenager's Murder Charges Dropped 6 Others Accused in July Stabbing

By DAN MORSE
Washington Post Staff Writer
Sunday, August 16, 2009

Montgomery County prosecutors dropped first-degree murder charges against a 16-year-old who was arrested with six others in connection with a July stabbing in Wheaton, lawyers in the case said Friday.

The teenager's attorney gave his name as Hirbin Guerrero-Hernandez, different from the name that was in the original police report, Hirbin Guerrero. Six others in the case remain charged with first-degree murder, according to court records.

The killing of Edwin Umana, 21, who was stabbed in his left temple, grew out of tension over women, according to authorities. Police said the seven originally charged were believed to be members of the Latin Kings gang.

The night of July 7, Umana, who lived along Bluhill Road in Wheaton, was walking near his home in the 13100 block of Matey Road and "called out to several women who were on the front porch of a residence," police said. A man came out of the residence and told Umana to leave the women alone. Then more men came out to join the dialogue, police said.

A confrontation ensued, and some of the men chased the victim toward a nearby intersection, where the assault took place, authorities said. Paramedics and police were called shortly before 9:30

p.m. and arrived to find Umana "bleeding heavily" from a wound to his head, according to charging documents.

Initial witness accounts placed Guerrero-Hernandez near the body, said his attorney, Andrew Jezic. Later, other witnesses told authorities that Guerrero-Hernandez never left the porch, Jezic said. Their statements were corroborated by co-defendants and by witnesses Jezic's firm found, Jezic said.

Guerrero-Hernandez also met with prosecutors, who questioned him and were satisfied that he did not take part in the attack, Jezic added.

The teenager was released from the Montgomery County jail Thursday night and has no pending charges against him in the case, according to court records. Victor Del Pino, a Montgomery County prosecutor who heads the gang unit at the state's attorney's office, declined to discuss the specifics of the case. He said only that charges were dropped against the 16-year-old after a review of the evidence.

Jezic said Guerrero-Hernandez feels terrible about what happened. His client had a grade-point average above 3.0 his freshman year and did well at the start of his sophomore year, but his performance fell off in the spring.

"That's kind of when he got associated with the gang," said David Krum, a law partner of Jezic's. The victim was not believed to have any gang affiliation, police said.

TUESDAY, JUNE 20, 2006 B6

WHEATON SLAYING

Teenager Is Released After Establishing Alibi

By ERNESTO LONDOÑO
Washington Post Staff Writer

Montgomery County prosecutors dropped murder and assault charges yesterday against an 18-year-old Silver Spring man arrested in the May 10 fatal beating of a 30-year-old man.

Jose Garcia's attorney, Andrew Jezic, said the charges were dropped after he presented together a "nearly airtight" alibi for his client, including errands Garcia was running that day to buy a Mother's Day gift.

"I missed my graduation," Garcia, a Wheaton High School graduate, said yesterday in an interview shortly after his release. "Supposedly, someone said my name" to police. "I have no idea who said my name."

Garcia was arrested June 1 in the beating of Jose A. Lagos-Rivera of Silver Spring, whom police initially identified as Roque J. Rivera.

Four other people remain charged in the case. Garcia had been charged with second-degree murder and first-degree assault.

Montgomery County Deputy State's Attorney John McCarthy said a witness's identification of Garcia as one of the assailants seemed dubious to authorities af-

ter further investigation. "We didn't feel probable cause continued to exist, and we thought it was inappropriate for him to remain in custody," McCarthy said.

Police said in a charging document that an unidentified witness incriminated Garcia in the fight.

Jezic said Garcia's alibi included e-mails, an ATM transaction, a letter from his principal indicating what time he had left school, a statement from a classmate with whom he walked home and the recollection of his 9-year-old brother, who saw him hug his mother at home to wish her a happy Mother's Day. May 10 was Mother's Day in El Salvador, Garcia's homeland.

Police found Lagos-Rivera's body early May 11 at Wheaton Forest Park in the 1700 block of University Boulevard. Four people are charged with second-degree murder and first-degree assault in the case: Wayne A. Davis, 18, of Silver Spring; brothers Robert Goodwin Jr., 17, and Antonio D. Goodwin, 18, both of Silver Spring; and a 16-year-old male who has not been identified because he was charged as a juvenile.

Lagos-Rivera died of internal injuries after being punched, kicked and possibly hit on the head with a rock, police said.

The Washington Post

Saturday, May 6, 2017

A1

Rockville High School Rape Case Dismissed

Inconsistencies are cited in dropping of charges that caused national stir

BY DAN MORSE
AND ANN E. MARIMOW

Maryland prosecutors said they will drop rape and sex offense charges against two immigrant teens accused of attacking a 14-year-old classmate in a high school bathroom stall in a case that attracted international and White House attention and stoked the debate about illegal crossings into the United States. After a court hearing Friday morning, prosecutors said they will drop the sex-assault case against Henry Sanchez Milian, 18, and Jose Montano, 17.

"The facts of this case do not support the original charges filed," said Montgomery County State's Attorney John McCarthy.

Defense lawyers had said for weeks that the sex acts were consensual and that text messages and school surveillance videos did not substantiate the girl's claims she had been pushed from a hallway into a bathroom at Rockville High School on March 16 and that the suspects took turns assaulting her as she tried to break free.

As prosecutors moved to dismiss the rape cases, they began pursuing cases of child pornography charges related to images discovered on cellphones during the course of the investigation, according to court records and defense attorneys.

Prosecutors did not describe the content or path of the exchanges of the images. Defense attorneys said they were willingly shared by the girl with one defendant, who passed them along to the other.

Sanchez Milian's attorney, Andrew Jezic, called the charges "selective prosecution of

elective promiscuity," adding that "it is hardly uncommon behavior for teenagers."

The developments Friday stood in stark contrast to the reports that pushed the case onto the national platform.

The severity of the reported assault — the girl originally told police the suspects held her down as she cried and repeatedly told them to stop and that the two accused teens had entered the United States illegally only months earlier drew heated comments from the White House to the Maryland State House and to activists in the county.

Montano came to the United States from El Salvador, and Sanchez Milian from Guatemala. They were stopped at the border, detained, then allowed to continue on to relatives before they enrolled at Rockville at a ninth grade level.

White House press secretary Sean Spicer was asked at a daily briefing about the cases in its early days and said, "The idea that this occurred is shocking, disturbing, horrific."

"Part of the reason that the president has made illegal immigration and crackdown such a big deal is because of tragedies like this... Immigration pays its toll on our people if it's not done legally, and this is another example," Spicer said.

Demonstrators converged on county government offices and hundreds of calls, emails and texts went to the school system, bashing undocumented immigrant students, assailing school policies and demanding the ouster of the superintendent. Police provided protection at the school.

In Annapolis, politicians referred to the case in denouncing legislation that would have limited cooperation between local police and immigration authorities. The legislation was defeated weeks later.

Immigration advocates and the county schools superintendent publicly spoke out

about the charges, voicing horror and regret and also saying politicians should not judge immigrant children seeking a better life by the disturbing case. "We are a public school system, and we serve all of our students when they come to us," Schools Superintendent Jack Smith said as the case broke, a position he repeated Friday.

Rockville rape case is dropped

Charges from A1

And in the rippling effects, Sanchez Milian's father, Adolfo Sanchez-Reyes, was taken into immigration custody.

U.S. Immigration and Customs Enforcement confirmed Friday that they are still pursuing Henry Sanchez Milian's deportation to Guatemala, ICE spokesman Matthew Bourke said. Sanchez Milian is not yet in federal custody, but the agency has issued a detainer asking local authorities to ensure he is transferred to its custody.

Montgomery County Executive Isiah Leggett (D) said the county was cooperating with federal immigration officials because of the child-pornography charge filed against Sanchez Milian and that the detainer would "be honored."

At the White House, during the daily briefing Friday, principal deputy press secretary Sarah Huckabee Sanders was asked about whether Spicer had unfairly jumped to conclusions about the teens, and whether the White House regretted the rhetoric and would issue a retraction.

"We're always looking to protect the American people. Sean was speaking about what he knew at the time," she said. "I don't

want to retract anything without further information in front of me."

On Friday, McCarthy, flanked by county leaders, said the decision to drop the charges followed an extensive investigation that included additional interviews and a review of medical records, school security videos, and phone and computer records. "Due to lack of corroboration and substantial inconsistencies from the facts," McCarthy said, "the original charges cannot be sustained and prosecution of those charges is untenable." He declined to take questions from reporters.

In an interview, Leggett called the circumstances "a real tragedy and sad occasion."

The case began March 16, when the girl told a staff member she had been raped. Detectives came to the school and spoke to the girl, who according to their affidavits, told them she knew Montano and they had been talking in a school hallway that morning.

She said he asked to have sex and when she refused, pushed her into a boys' bathroom and pulled her into a stall, according to the police affidavits. Sanchez Milian then entered the stall, according to girl's account in the affidavit, and both raped her as she cried out and told them to stop. Montano "denied having any sexual contact with [the victim]. Montano stated they went into the bathroom to tell jokes," detectives wrote after talking with him.

They also spoke with Sanchez Milian, who "initially stated nothing happened," the police affidavits state, "then changed his statement multiple times and admitted having sex with the victim with his friend Montano."

Faced with the choice of filing charges or not arresting the suspects as an investigation continued — and risking them fleeing — the police brought charges. Hours later, the two

teens were locked in the Montgomery County Detention Center.

Defense lawyers had said for weeks there were major problems with the allegations. The day before the incident, they said, the girl and Montano exchanged explicit text messages and images about planning to have sex in the school. Then, inside the school, surveillance video showed Montano and the girl walked together into the bathroom at the time of the incident, according to the attorneys. They also said the girl's account of events was not consistent as the investigation progressed.

Prosecutors considered pursuing a case of statutory rape, which holds that a victim is so young they cannot legally consent. To make such a case under Maryland law with a victim who is 14, the suspects must be a full four years older, said Jezic and other attorneys in the state.

In this case, neither Montano, at 17, nor Sanchez Milian, who is a relatively young 18, was a full four years older than the girl. Therese Gibson, a parent and community activist who is part of Montgomery County Latino Advocacy Coalition, said she found it unfortunate that the incident became politicized amid the national immigration debate.

"I think most students who come to the United States are coming to find a better life, and the vast majority are struggling to gain a foothold and do better than where they came from," she said.

The case is not likely to be forgotten soon, she said. "It was such an explosive case when it started — the alleged rape of a young girl in a school," she said. "I think people will remember this case for a long time. I hope this young girl heals and the immigrant community doesn't suffer as a result of what happened."

MONTGOMERY COUNTY OFFICES

6701 Democracy Blvd., Ste 300
Bethesda, MD 20817

12410 Milestone Center Dr., Ste 600
Germantown, MD 20876

18310 Montgomery Village Ave., Ste 610
Gaithersburg, MD 20879

FREDERICK OFFICE

10 West College Terrace, Ste 210
Frederick, MD 21701

ANDREW V. JEZIC*

DAVID H. MOYSE^

RAND W. LUCEY^

AMAL A. BERTRAND^

BRUCE GODFREY*

JONATHAN R. CARROLL^

JAMES R. HOFFMANN, JR.*

HIMEDES V. CHICAS^

TAMARA L. JEZIC**

DAVID M. WOOTEN*

DIANA M. PAK YI <<

ROBERT J. KIM^

ERIN K. RAMOS<

ANDRES J. HEINEY-GONZALEZ^

CRYSTALLIS VERGARA*

JORGE-ANDRES ROLDAN^

PAULETTE PAGAN ++

MARVIN OCHOA^

TAKOMA PARK OFFICE

7676 New Hampshire Avenue, Ste 315
Takoma Park, MD 20912

VIRGINIA OFFICE

4101 Chain Bridge Road, Ste 108
Fairfax, VA 22030
703-763-7708

TOWSON OFFICE

600 Wnshington Ave Ste 301
Towson, MD 21204

LAW OFFICES OF

JEZIC & MOYSE, LLC

WESTFIELD NORTH BUILDING
2730 UNIVERSITY BOULEVARD WEST
SUITE 604
WHEATON, MARYLAND 20902-1975

PRINCE GEORGES OFFICES

6309 Baltimore Ave., Ste
301 Riverdale, MD 20737

515 Main Street
Laurel, MD 20707

14760 Main Street, Ste 119
Upper Marlboro, MD 20772

16701 Melford Blvd., Ste 400
Bowie, MD 20715

ANNAPOLIS OFFICE

1997 Annapolis Exchange Pkwy., Ste 300
Annapolis, MD 21401

ELICOTT CITY OFFICE

3211 Rogers Avenue, Ste 301
Elicott City, MD 21143

240-292-7200**JEZICFIRM.com**

This is an advertisement

LICENSED in MARYLAND ^

LICENSED in VIRGINIA ^^

LICENSED in D.C. +

LICENSED in MD and VA <

LICENSED in MD and D.C. *

LICENSED in MD, VA and D.C. **

LICENSED in MD, D.C., VA and N.Y. <<

LICENSED in MD and MO ++

DIEGO BLOCH^^

ANTEZANA & ANTEZANA, LLC** of Counsel

For your pending case, are you looking for an aggressive, experienced attorney at a reasonable rate? Are you looking for an attorney whose primary focus is how to beat your charges, rather than plead guilty? With two former felony prosecutors in our firm, we know how important it is to have experienced defense attorneys aggressively challenging every aspect of the State's case.

Andrew Jezic, a former Montgomery County felony prosecutor, has been voted from 2016 - 2022 as one of the **top 100 lawyers** in Maryland by "**Superlawyers**" magazine. Mr. Jezic was rated from 2011 - 2018 as one of the **best defense attorneys** in the area by the **Washingtonian** magazine. Mr. Jezic is an author of a widely respected book on criminal procedure, **Maryland Law of Confessions**. **David Moyse** has also been named as a "**Superlawyer**", and by the **Washingtonian** magazine as a top criminal defense lawyer.

Our lawyers have over 90 years of combined experience. Many of our clients have been **entirely exonerated or obtained a complete dismissal** of all felony charges. Please read more about our recent successful cases at **JEZICFIRM.COM**, and please see the many **news articles** included with this letter.

While no attorney can guarantee a specific result, you deserve experienced defense attorneys to reduce the risk of severe consequences such as jail or a criminal record.

Call us at any time for a **free consultation** at **240-292-7200**. We will give you our **cell phone numbers** (see below). Our rates are affordable. We allow **payment plans** and accept **credit cards**. We see clients in the **evenings**, as well as on **Saturdays** and **Sundays**. Thank you.



Mr. Andrew V. Jezic
(301) 742-7470 (c)



Mr. David H. Moyse
(202) 413-5631 (c)

This is an advertisement